

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION**

THE P&G HEALTH & LONGTERM	:	Case No. 1:19-cv-669
DISABILITY PLAN f/k/a THE	:	
PROCTER & GAMBLE DISABILITY	:	Judge Timothy S. Black
BENEFIT PLANS,	:	
	:	
Plaintiff,	:	
	:	
vs.	:	
	:	
CARRIE ESPINOZA,	:	
	:	
Defendant.	:	

**ORDER DIRECTING THE CLERK TO
ENTER DEFAULT JUDGMENT UNDER RULE 55(b)(1)**

This case is before the Court on Plaintiff’s supplemental affidavit in support of Plaintiff’s application for default judgment. (Doc. 8).

On February 11, 2020, Plaintiff filed an application for default judgment against Defendant under Rule 55(b)(1). (Doc. 6). Thereafter, on September 15, 2020, the Court issued an Order resolving Plaintiff’s Rule 55(b)(1) application. (Doc. 7). In the Order, the Court confirmed that “Plaintiff ha[d] established that it [wa]s entitled to a default judgment against Defendant” under Rule 55(b)(1). (*Id.* at 2). However, the Court determined that Plaintiff had not supported its Rule 55(b)(1) application with an affidavit sufficiently evidencing the damages sought. (*Id.*)

Accordingly, the Court issued the following direction to Plaintiff:

1. Within 21 days of this Order, Plaintiff **SHALL** provide the Court with another affidavit showing the sum certain Defendant owes Plaintiff in sufficient detail; and

2. Upon receipt of an appropriate and adequate affidavit, the Court will thereafter **DIRECT** the Clerk to enter default judgment in favor of Plaintiff and against Defendant in the sum certain properly evidenced.

(Id.)

In accordance with the Court's direction, Plaintiff has now submitted a supplemental affidavit in support of Plaintiff's motion for default judgment. (Doc. 8). On careful review, the Court finds that Plaintiff's supplemental affidavit evidences the sum certain Defendant owes Plaintiff in sufficient detail. (*See id.*). Specifically, Plaintiff's supplemental affidavit establishes that Defendant owes Plaintiff \$9,340.00 for an overpayment of disability benefits, plus \$429.08 in costs, for a total amount due of \$9,769.08. (*See id.*).

Having received an appropriate and adequate affidavit (Doc. 8), and in accordance with its prior Order (Doc. 7), the Court hereby **DIRECTS** the Clerk to enter default judgment in favor of Plaintiff and against Defendant, in the total amount of \$9,769.08, plus post-judgment interest at the statutory rate. Upon entry of Judgment, this case shall be **TERMINATED** from the docket of this Court.

IT IS SO ORDERED.

Date: 5/3/2021

s/Timothy S. Black
Timothy S. Black
United States District Judge